

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION**

**MICHAEL EINFELDT
REG #06087-029**

PLAINTIFF

v.

Case No. 2:14-cv-00062-KGB/HDY

C.V. RIVERA, *et al.*

DEFENDANTS

ORDER

Before the Court are two Proposed Findings and Recommendations submitted by United States Magistrate Judge H. David Young (Dkt. Nos. 30, 43). The Court will examine each in turn.

First, the Court has reviewed the Proposed Findings and Recommendations submitted by Magistrate Judge Young regarding plaintiff Michael Einfeldt's motion for a temporary restraining order (Dkt. No. 30). The Court also has reviewed the objections to the recommendations filed by Mr. Einfeldt (Dkt. Nos. 33, 36). After carefully considering the recommendations and objections, and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. The Court denies Mr. Einfeldt's motion for a temporary restraining order (Dkt. No. 3).

Next, the Court has reviewed the second Proposed Findings and Recommendations submitted by Magistrate Judge Young regarding defendants' motion for summary judgment (Dkt. No. 43). Mr. Einfeldt moved to extend the time to file his objections (Dkt. No. 43) and later filed his objections to the recommendations (Dkt. No. 45). The Court grants Mr. Einfeldt's motion for an extension of time (Dkt. No. 43) and considers his objections. After carefully considering the recommendations and objections, and making a *de novo* review of the record in

this case, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. The Court grants defendants' motion for summary judgment (Dkt. No. 37) and dismisses without prejudice Mr. Einfeldt's complaint.

The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

SO ORDERED this the 18th day of February, 2015.

A handwritten signature in black ink, reading "Kristine G. Baker", written over a horizontal line.

Kristine G. Baker
United States District Judge